



☐ Current  
☒ Proposed

## POSITION STATEMENT

1. POSITION INFORMATION	
CIVIL SERVICE CLASSIFICATION:	WORKING TITLE:
Attorney III	<i>Assistant General Counsel</i>
NAME OF INCUMBENT:	POSITION NUMBER:
Vacant	397-101-5795-003
OFFICE/SECTION/UNIT:	SUPERVISOR'S NAME:
Legal Unit	Lisa Powell
DIVISION:	SUPERVISOR'S CLASSIFICATION:
N/A	General Counsel
BRANCH:	REVISION DATE:
N/A	06/13/2022
<b>Duties Based on:</b> <input checked="" type="checkbox"/> FT <input type="checkbox"/> PT– Fraction _____ <input type="checkbox"/> INT <input type="checkbox"/> Temporary – _____ hours	
2. REQUIREMENTS OF POSITION	
<b>Check all that apply:</b>	
<input checked="" type="checkbox"/> Conflict of Interest Filing (Form 700) Required <input type="checkbox"/> May be Required to Work in Multiple Locations <input type="checkbox"/> Requires DMV Pull Notice <input checked="" type="checkbox"/> Travel May be Required	<input type="checkbox"/> Call Center/Counter Environment <input type="checkbox"/> Requires Fingerprinting & Background Check <input type="checkbox"/> Bilingual Fluency ( <i>specify below in Description</i> ) <input type="checkbox"/> Other ( <i>specify below in Description</i> )
<a href="#">Click here to enter text.</a>	
3. DUTIES AND RESPONSIBILITIES OF POSITION	
<b>Summary Statement:</b> (Briefly describe the position's organizational setting and major functions)	
<p>Under the general direction of the Labor and Workforce Development Agency (LWDA) General Counsel, the Assistant General Counsel provides advice, counsel, and expert legal services to the Agency. The Assistant General Counsel, provides advice on the implementation of the Labor Code Private Attorney General Act (PAGA), develops the PAGA program policy parameters, monitors and reviews implementation, reviews and makes recommendations on related legislation, and provides guidance and direction concerning PAGA investigations, litigation and settlements. The Assistant General Counsel coordinates with the Department of Industrial Relations and its divisions on all aspects of the PAGA program implementation and administration.</p>	

Essential Functions	
40%	Coordinates and provides guidance in PAGA investigations, litigation, and the preparation of objections and comments on proposed PAGA settlements submitted to the trial court. Reviews, evaluates, and advises on suitability for Agency investigation based on evaluation of the allegations and analysis of applicable law. In cases chosen for investigation, advises on the investigatory approach including witness interviews, investigatory subpoenas, depositions, and enforcement actions compelling compliance with administrative investigations. Reviews investigation reports, advises on the filing of civil complaints, prepares discovery plans and drafts discovery requests including interrogatories, requests for production of documents, requests for admissions, and other pleadings, subpoenas, and depositions. Prepares, and reviews responses to discovery requests. Advises on, prepares, and responds to motions including discovery motions, motions for summary adjudication or summary judgment. Oversees and assists in settlement strategy and negotiations.
35%	Develops PAGA program policy parameters, organizes analyzes implementation, and reviews related legislation. Researches and writes memoranda on legal matters concerning employment law and PAGA. Identifies legal issues regarding implantation of legislative and policy requirements, renders legal opinions and proposes solutions to identified issues. Drafts and promulgates regulations under the Administrative Procedures Act to implement aspects of the PAGA program. Assists in analyzing and advising on policy and procedural issues within LWDA's jurisdiction, including, but not limited to implementation of newly enacted statutes.
20%	Advises on employer requests to investigate PAGA claims based on analysis of the underlying allegations, applicable law, and review of information and documentary evidence provided to ensure consistency with the PAGA program policies. In connection with disputes over asserted cures of violations of the Labor Code subject to the PAGA, reviews evidentiary submissions including document review, testimony and legal arguments, researches and analyzes governing statutory and appellate precedents, and drafts determinations setting forth findings of fact and law on the matters in dispute. Coordinates and responds to Public Records Act requests concerning the PAGA.
Marginal Functions	
5%	Other duties as assigned.
<b>4. WORK ENVIRONMENT</b> <i>(Choose all that apply)</i>	
Standing: Occasionally - activity occurs < 33%	Sitting: Continuously - activity occurs > 66%
Walking: Occasionally - activity occurs < 33%	Temperature: Temperature Controlled Office Environment
Lighting: Artificial Lighting	Pushing/Pulling: Occasionally - activity occurs < 33%
Lifting: Occasionally - activity occurs < 33%	Bending/Stooping: Occasionally - activity occurs < 33%
Other: Telework is an option, potentially on a full-time basis.	
<b>Type of Environment:</b> <input type="checkbox"/> High Rise <input checked="" type="checkbox"/> Cubicle <input type="checkbox"/> Warehouse <input type="checkbox"/> Outdoors <input type="checkbox"/> Other:	
<b>Interaction with Customers:</b> <input type="checkbox"/> Required to work in the lobby <input type="checkbox"/> Required to work at a public counter <input checked="" type="checkbox"/> Required to assist customers on the phone <input checked="" type="checkbox"/> Required to assist customers in person <input type="checkbox"/> Other:	
<b>5. SUPERVISION EXERCISED:</b> (List total per each classification of staff)	
None. May act as lead on projects with LWDA constituent departments and boards.	

**6. SIGNATURES****Employee's Statement:**

*I have reviewed and discussed the duties and responsibilities of this position with my supervisor and have received a copy of the Position Statement.*

Employee's Name:

Employee's Signature:

Date:

**Supervisor's Statement:**

*I have reviewed the duties and responsibilities of this position and have provided a copy of the Position Statement to the employee.*

Supervisor's Name: Lisa Powell

Supervisor's Signature:

Date:

**7. HRSD USE ONLY****Personnel Management Group (PMG) Approval**
☒ Duties meet class specification and allocation guidelines.

PMG Analyst Initials

Date Approved

☐ Exceptional allocation, STD-625 on file.

AEL

06/13/2022

**Reasonable Accommodation Unit use ONLY** *(completed after appointment, if needed)*

*If a Reasonable Accommodation is necessary, please complete a Request for Reasonable Accommodation (DE 8421) form and submit to Human Resource Services Division (HRSD), Reasonable Accommodation Coordinator.*

List any Reasonable Accommodations made:

**Supervisor:** After signatures are obtained, make 2 copies:

- Send a copy to HRSD (via your Attendance Clerk) to file in the employee's Official Personnel File (OPF)
- Provide a copy to the employee
- File original in the supervisor's drop file